

Entered - 05/21/01 - sb  
CL 01L0324 - GWENDOLYN BURNS

CLAIM OF: LEON JACKSON  
2952 River Ridge Drive  
Atlanta, Georgia 30354

01-*R*-0933

For damages alleged to have been sustained as a result of a vehicular accident on April 23, 2001 at Randolph Street.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **LEON JACKSON** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on April 23, 2001 at Randolph Street as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY *R. N. DCA*

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0324

Date: June 15, 2001

Claimant /Victim LEON JACKSON  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 2952 River Ridge Drive, Atlanta, Georgia 30354  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 2,034.00 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 5/14/01 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 \_\_\_\_\_ X Ante Litem (6 Mo.) \_\_\_\_\_ X  
Date of Occurrence 4/23/01 Place: Randolph Street & John Wesley Dobbs Avenue  
Department PUBLIC WORKS Division Solid Waste Services  
Employee involved Ivory F. Couch Disciplinary Action: Pending Review - Driving Suspension

**NATURE OF CLAIM:** Claimant alleges that his vehicle sustained damage when it was backed into by a sanitation vehicle. The City employee was cited for "improper backing".

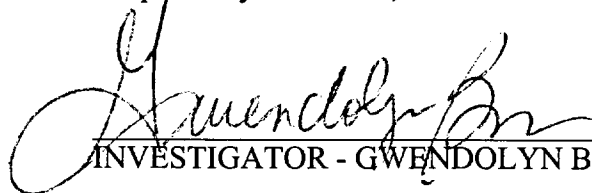
**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report \_\_\_\_\_ Other X  
Traffic citations issued: City Driver X Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

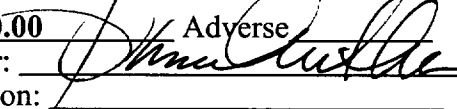
**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ 2,000.00 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 06-15-01  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 5-8-2001

Dear Municipal Clerk:

ENTERED - 5-21-01 - SB  
01L0324 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 2,034.30 property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 4-23-2001 (month/day/year) 2. Time of Incident: 9:20 3. Police called: ✓ Yes No
4. Location of incident (including street address): RANDOLPH ST at intersection John Wesley Dr
5. Name of your insurance company: General Services Insurance Policy No. AF 787090-03
6. State what and how incident occurred: City truck started to Backing up on me and i tried to move over out of the way But he still hit me

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Ford RANGER-1998 693 GGR Leon Jackson  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: Garbage truck Ivory Couch City of Atlanta - Garbage  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: \_\_\_\_\_  
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Leon Jackson  
Signature of Claimant

LEON. JACKSON  
(Print Claimant's Name)

2952 RIVER RIDGE DR  
(Address)

ATLANTA GA. 30354  
(City, State and Zip Code)

Rolling Stone 404-363-3266  
(Work Number) (Home Number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 01L0324

\$ 2,000.00

IN CONSIDERATION of the sum of TWO THOUSAND AND 00/100  
DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby  
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever  
discharge said City, its officers and employees, including but not limited to Ivory Couch, from any and all claims,  
demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account  
of anything that has heretofore occurred, and particularly for or on account of a vehicular accident  
which occurred on or about the 23th day of March, 2001  
at or near Randolph Street NE

It is further understood and agreed that the payment of the above named sum is not to be considered as an  
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the  
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,  
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,  
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment  
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by  
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this  
instrument.

WITNESS my hand and seal this 12 day of June, 2001.

Leon Jackson (LS)  
LEON JACKSON

The above release was read and explained to, and signed by the said LEON JACKSON

in our presence on the date above written.

Barbara Moore  
Notary Public, Fulton County, Georgia  
My Commission Expires Feb. 23, 2003  
WITNESSES

01- R -0933